

2. On September 15, 2014, Anello, through her counsel, served Promius with a copy of the summons and petition of the State Court Action via certified mail. The summons and petition was postmarked September 12, 2014. This Notice of Removal is being filed timely within thirty (30) days of Defendant's receipt of the summons and complaint, as required by 28 U.S.C. § 1446(a).

3. Attached hereto as **Exhibit A** is a copy of all process, pleadings and orders served upon Defendant in the State Court Action, pursuant to 28 U.S.C. § 1446(a) and the docket sheet and Status Report on Removed Action, pursuant to LCvR. 81.2.

4. Anello's claims arise under Title VII of the Civil Rights Act of 1964, as amended 42 U.S.C. § 2000-2. As such, this Court has original subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1331 and this case can be removed to this Court pursuant to 28 U.S.C. § 1441 in that it is a civil action containing a federal question cause of action. *See* Petition, ¶ 3; First Claim for Relief and Second Claim for Relief.

5. This Notice of Removal is being filed in the United States District Court for the Northern District of Oklahoma, the district court of the United States for the district and division within which the State Court Action is pending, as required by 28 U.S.C. §§ 1441(a) and 1446(b).

6. Upon filing the Notice of Removal, Defendant shall give written notice thereof to Plaintiff's counsel, David A. Warta of Smolen Smolen & Roytman, PLLC, and shall file copies of this Notice of Removal with the clerk for the District Court of Tulsa County, Oklahoma, pursuant to 28 U.S.C. § 1446(d).

7. If any question arises as to the propriety of the removal of this action, Defendant requests the opportunity to undertake post-removal jurisdictional discovery and to present a citation of authority and oral argument in support of its position that this case is removable.

8. By filing the Notice of Removal, Defendant does not waive any defenses available to it, in equity or otherwise.

WHEREFORE, Defendant respectfully requests that this action proceed in this Court as an action properly removed to it.

Respectfully submitted,

s/ Kathy R. Neal

Kathy R. Neal, OBA No. 674

McAFEE & TAFT, P.C.

1717 S. Boulder, Suite 900

Tulsa, OK 74119

(918) 574-3020 (Telephone)

(918) 574-3120 (Facsimile)

kathy.neal@mcafeetaft.com

and

Evan Rosen

Georgia Bar No. 649716

evan.rosen@jacksonlewis.com

(Pro Hac Vice motion to be filed shortly)

JACKSON LEWIS P.C.

1155 Peachtree Street, NE

Suite 1000

Atlanta, Georgia 30309

T: 404-525-8200

F: 404-525-1173

Attorneys for Defendant

Promius Pharma, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2014, I transmitted the foregoing document to the Clerk of Court using the ECF System for filing on the following:

David A. Warta, Esq.
Smolen Smolen & Roytman, PLLC
701 S. Cincinnati Ave.
Tulsa, OK 74119

/s/ Kathy Neal
Kathy Neal